

# **EXHIBIT CC**

**In The Matter Of:**

***LEHMAN BROTHERS HOLDINGS, INC., ET AL***

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***DAVID A. WEISBROD - Vol. 1***  
***July 14, 2011***

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***HIGHLY CONFIDENTIAL INFORMATION***  
***GOVERNED BY PROTECTIVE ORDER***

**MERRILL CORPORATION**

**LegalLink, Inc.**

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New York, NY 10014  
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DAVID A. WEISBROD - 7/14/2011

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re:

: Chapter 11

LEHMAN BROTHERS HOLDINGS  
INC., et al. : Case No.

Debtors : 08-13555 (JMP)

-----X

LEHMAN BROTHERS HOLDINGS :  
INC., and OFFICIAL

COMMITTEE OF UNSECURED :  
CREDITORS OF LEHMAN

BROTHERS HOLDINGS INC., : Adversary  
et al.,

: Proceeding No.

Plaintiff and  
Plaintiff Intervenor, : 10-03266 (JMP)

vs. :

JPMORGAN CHASE BANK, N.A., :

Defendant. :

-----X

July 14, 2011  
9:33 a.m.

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PROTECTIVE ORDER

Video Deposition of DAVID A. WEISBROD,  
held at the offices of WACHTELL, LIPTON,  
ROSEN & KATZ, 51 West 52nd Street, New York,  
New York, before Frank J. Bas, a Registered  
Professional Reporter and Notary Public of the  
State of New York.

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1	HIGHLY CONFIDENTIAL - D. WEISBROD	
2	Q. So where JPMorgan and Barclays	19:03:00
3	people were present?	19:03:03
4	A. Well, it was on the phone. The	19:03:03
5	Barclays people were on the phone.	19:03:05
6	Q. Okay. Your recommending --	19:03:07
7	A. I assume we put the call on	19:03:08
8	mute when we had this discussion.	19:03:10
9	Q. Did anything anyone at Lehman	19:03:12
10	said or did influence your recommendation to	19:03:13
11	release the \$5 billion margin to Barclays on	19:03:16
12	the 18th?	19:03:20
13	A. I don't recall.	19:03:21
14	Q. Did anything about the APA, did	19:03:22
15	that have anything to do with your	19:03:25
16	recommendation to release the margin?	19:03:26
17	A. I don't recall.	19:03:28
18	Q. Is there anything besides what	19:03:28
19	Barclays said on the 18th that affected your	19:03:31
20	recommendation that JPMorgan release the	19:03:36
21	margin to Barclays?	19:03:38
22	A. No. Not that I recall.	19:03:39
23	Q. So it was entirely based on	19:03:40
24	Barclays making the representation that it	19:03:44
25	would take JPMorgan out in full that was made	19:03:46

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2

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3

ACKNOWLEDGMENT OF DEPONENT

4

I, \_\_\_\_\_, do hereby

5

acknowledge that I have read and examined the

6

foregoing testimony, and the same is a true,

7

correct and complete transcription of the

8

testimony given by me, and any corrections

9

appear on the attached Errata sheet signed by

10

me.

11

12

13

14

15

16

(DATE)

(SIGNATURE)

17

18

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2

C E R T I F I C A T E

3

STATE OF NEW YORK )

4

) ss:

5

COUNTY OF NEW YORK )

6

7

I, FRANK J. BAS, a Registered

8

Professional Reporter and Notary Public within

9

and for the State of New York, do hereby

10

certify:

11

That DAVID A. WEISBROD, the witness

12

whose testimony is hereinbefore set forth, was

13

duly sworn by me and that such testimony given

14

by the witness was taken down stenographically

15

by me and then transcribed.

16

I further certify that I am not

17

related by blood or marriage, to any of the

18

parties in this matter and that I am in no way

19

interested in the outcome of this matter.

20

IN WITNESS WHEREOF, I have hereunto

21

set my hand this 14th of July, 2011.

22

23

FRANK J. BAS, RPR

24

25

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1

2 STATE OF NEW YORK )

ss:

3 COUNTY OF NEW YORK )

4 I wish to make the following  
changes, for the following reasons:

5 PAGE LINE(S) CHANGE REASON

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\_\_\_\_\_  
DAVID A. WEISBROD

22 SUBSCRIBED AND SWORN TO BEFORE ME  
23 THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

24 \_\_\_\_\_ (NOTARY PUBLIC) MY COMMISSION EXPIRES:  
25